

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STACEY SIMEON HALL,

Plaintiff,

No. 19-11064

v.

District Judge Robert H. Cleland
Magistrate Judge R. Steven Whalen

JASON FLORA, ET AL.,

Defendants.

ORDER

Plaintiff, a *pro se* litigant currently housed at Monroe County Jail, in this civil rights action brought under 42 U.S.C. §1983, has filed a motion for appointment of counsel or a “special master” to investigate the circumstances surrounding his allegations of excessive force during his March 10, 2018 arrest [Docket #28].

Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. Rather, the Court requests members of the bar to assist in appropriate cases. In *Lavado v. Keohane*, 992 F.2d 601, 605-606 (6th Cir. 1993), the Sixth Circuit noted that “[a]ppointment of counsel in a civil case is not a constitutional right. It is a privilege that is justified only by exceptional circumstances.” (Internal quotations and citations omitted).

It is the practice of this Court to defer any attempt to obtain counsel for *pro se* civil rights Plaintiffs until after motions to dismiss or motions for summary judgment have been denied. At this point, none of the dispositive motions in this case have been denied and as such, Plaintiff’s motion to appoint counsel is premature. For the same reasons, Plaintiff’s request for a “special master” will be denied. If Plaintiff’s claims ultimately survive

dispositive motions, he may renew his current motion at that time.

Accordingly, Plaintiff's motion [Doc. #28] is DENIED WITHOUT PREJUDICE.

IT IS SO ORDERED.

Dated: October 6, 2019

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify on October 6, 2019 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants October 6, 2019.

s/Carolyn M. Ciesla
Case Manager for the
Honorable R. Steven Whalen